

REMARKS

In the patent application, claims 1-22 are pending. In the Office action, claims 1-22 are rejected. Claims 1, 8, 12, 17, 21 and 22 are the independent claims.

On page 2 of the Office action, the Office acknowledges receipt and entrance of applicant's claim amendments filed April 28, 2008 in conjunction with a Request for Continued Examination. In response, the Office has withdrawn the rejection of claims 1-5, 7-15 and 17-22 under 35 USC §102.

Applicant has amended independent claims 1, 8, 12, 17, 21 and 22 to more particularly point out and distinctly claim the subject matter which the applicant regards as his invention. Support for the amendment can be found in Figures 1-5. No new matter has been introduced by way of amendment.

Claim Rejections – 35 U.S.C. 103

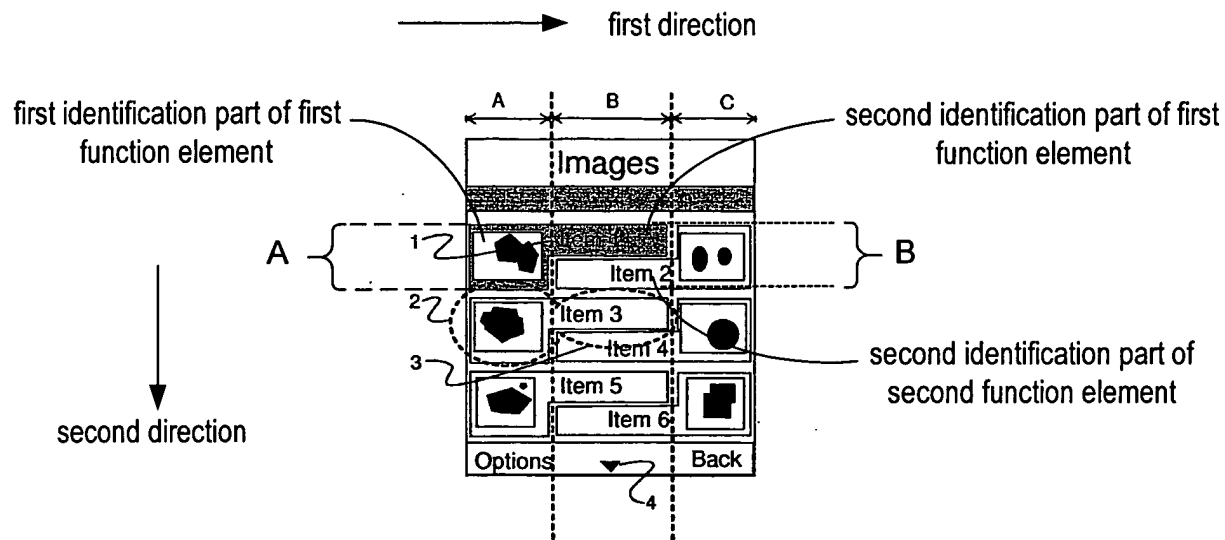
On pages 4-10 of the Office action, the Office rejects claims 1-5, 7-15 and 17-22 under 35 U.S.C. 103(a) as being unpatentable over *Driskell* (U.S. Patent No. 6,239,803). Of these, claims 1, 8, 12, 17, 21 and 22 are independent.

The independent claims are amended herein to recite:

displaying the second identification part of each of the at least two function elements on at least one display area between said outermost display areas in such a manner that a second identification part of a first function element and a second identification part of a second function element are aligned at least substantially next to each other in a second direction substantially perpendicular to said first direction such that the second identification part of the first function element and the second identification part of the second function element in combination occupy an amount of space that is substantially equivalent to an amount of space occupied by the first identification part of the first function element in said second direction [Emphasis added]

Thus, the claimed invention, as amended, clearly shows that the second identification parts of the first and second function elements in combination occupy a substantially equivalent amount of space as is occupied by the first identification part of the first function element in the second direction (i.e. the direction perpendicular to the first direction). In other words, as seen in Figure 1, the second identification parts (i.e., e.g. the labels shown in Fig. 1) are aligned substantially next to

each other in the second direction so that the amount of space occupied by both second identification parts is substantially equivalent to the amount of space occupied by a single first identification part (i.e., e.g. the first identification part of the first function element, shown as an icon in Fig. 1). Please refer to the figure below (Fig. 1 of the claimed invention) for further illustration of this claimed feature.



A = space occupied by first identification part of first function element

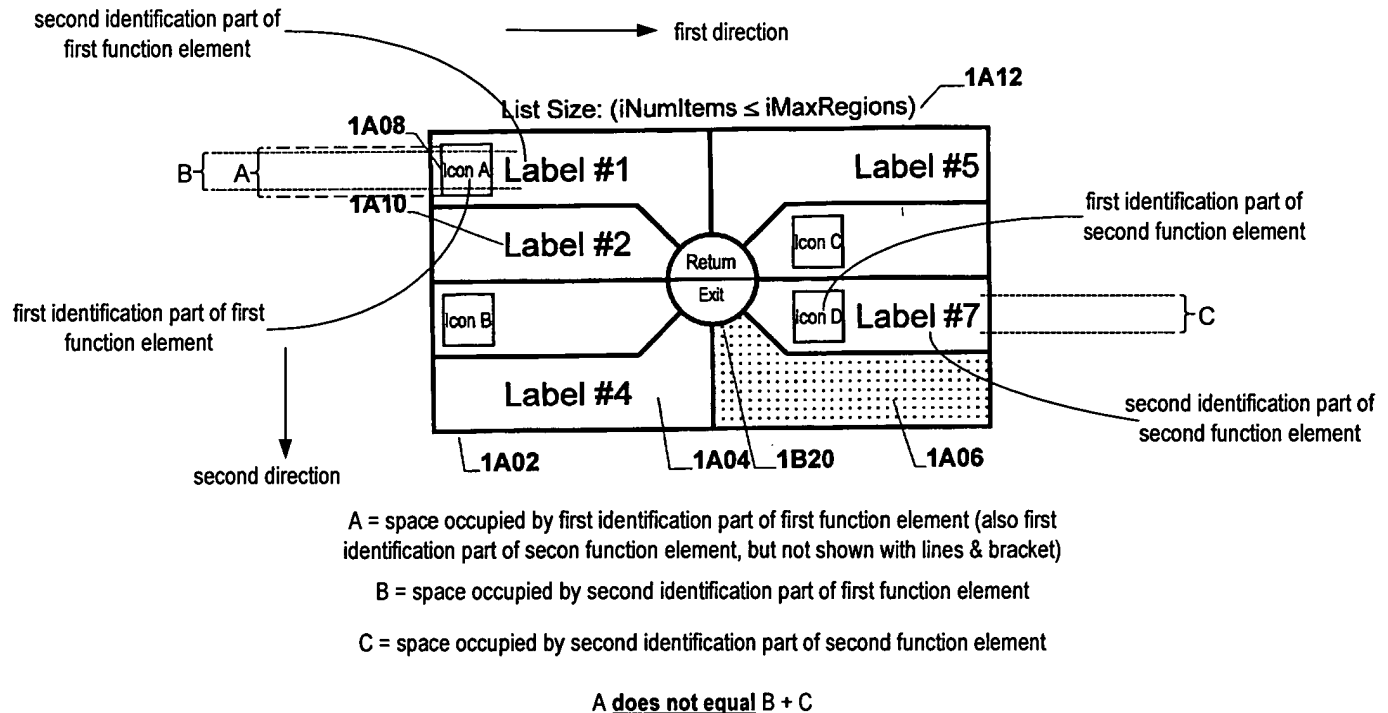
B = space occupied by second identification part of first function element in combination with second identification part of second function element

$$A = B$$

To the extent that the obviousness rejection might be applied to the claims, as amended, it is respectfully traversed for the following reasons.

As amended, the independent claims clearly require that “the second identification part of the first function element and the second identification part of the second function element in combination occupy an amount of space that is substantially equivalent to an amount of space occupied by the first identification part of the first function element in said second direction.” *Driskell* fails to disclose or suggest this feature of the claimed invention as the second identification parts (i.e. labels) of *Driskell* taken singly occupy a substantially equivalent amount of space as occupied by a first identification part (i.e. icon). If one were to consider two of the second identification parts of *Driskell* in combination, as claimed, they would occupy an amount of space

approximately equivalent to twice the amount of space occupied by a first identification part. Nowhere does *Driskell* disclose or suggest any situation wherein the second identification parts of the first and second function elements in combination occupy a substantially equivalent amount of space as occupied by the first identification part of the first function element in the second direction. Please refer to the figure below (Fig. 1 of *Driskell*) for further illustration of this assertion.



As such, applicant respectfully submits that *Driskell* fails to render independent claims 1, 8, 12, 17, 21 and 22 obvious. Accordingly, applicant respectfully requests reconsideration and withdrawal of the rejection of claims 1, 8, 12, 17, 21 and 22 under 35 USC §103(a).

Claims 2-5, 7, 9-11, 13-15 and 18-20 are ultimately dependent upon independent claims 1, 8, 12 and 17 and recite additional features not recited in claims 1, 8, 12 and 17. For at least the reasons regarding independent claims 1, 8, 12 and 17 clearly explained above, *Driskell* fails to render claims 2-5, 7, 9-11, 13-15 and 18-20 obvious, therefore applicant respectfully requests that the rejection of claims 2-5, 7, 9-11, 13-15 and 18-20 under 35 USC §103(a) also be reconsidered and withdrawn.

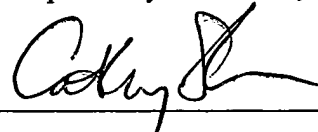
On pages 10-11 of the Office action, the Office rejects claims 6 and 16 under 35 U.S.C. 103(a) as being unpatentable over *Driskell* (U.S. Patent No. 6,239,803) in view of *Twerdahl et al.* (U.S. Publication No. 2004/0221243, hereinafter *Twerdahl*).

Claims 6 and 16 are ultimately dependent from independent claims 1 and 12 and recite additional features not recited in claims 1 and 12. *Driskell* fails to disclose all the features of independent claims 1 and 12 as discussed above, and *Twerdahl* fails to disclose the features not disclosed in *Driskell*, namely “the second identification part of the first function element and the second identification part of the second function element in combination occupy an amount of space that is substantially equivalent to an amount of space occupied by the first identification part of the first function element in said second direction.” Thus, applicant respectfully submits that since *Driskell* in view of *Twerdahl* fails to disclose all the features of independent claims 1 and 12, *Driskell* in view of *Twerdahl* fails to render the claimed invention obvious. Therefore, for at least the reasons regarding claims 1 and 12 above, applicant respectfully submits that claims 6 and 16 are patentable over *Driskell* in view of *Twerdahl*. Accordingly, applicant respectfully requests reconsideration and withdrawal of the rejection of claims 6 and 16 under 35 USC §103(a).

CONCLUSION

The rejections of the Office action of July 24, 2008 have been obviated by amendment or shown to be inapplicable herein, therefore, withdrawal thereof is requested and passage to issue of claims 1-22 is earnestly solicited.

Respectfully submitted,

 10.23.08

WARE, FRESSOLA, VAN DER SLUYS
& ADOLPHSON LLP
755 Main Street, P.O. Box 224
Monroe, Connecticut 06468
(203) 261-1234
Customer No. 004955

Cathy A. Sturmer
Agent for the Applicant
Registration No. 60,869